

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**MATTHEW S. S.,**

**Plaintiff,**

**v.**

**6:21-CV-0014  
(TJM/ML)**

**COMMISSIONER OF SOCIAL SECURITY,**

**Defendant.**

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**THOMAS J. McAVOY,  
Senior United States District Judge**

**DECISION and ORDER**

This matter was referred to the Hon. Miroslav Lovric, United States Magistrate Judge, for a Report and Recommendation pursuant to 28 U.S.C. § 636(b) and Rule 72.3(d) of the Local Rules of the Northern District of New York. In a Report and Recommendation dated January 20, 2022, Judge Lovric recommends that Plaintiff's motion for judgment on the pleadings (Dkt. No. 13) be DENIED; that Defendant's motion for judgment on the pleadings (Dkt. No. 14) be GRANTED; that the Commissioner's decision denying Plaintiff disability benefits be AFFIRMED; and that Plaintiff's Complaint (Dkt. No. 1) be DISMISSED. See Rep. & Rec., Dkt. No. 15. No objections to the Report and Recommendation have been lodged and the time for filing objections has expired.

**CONCLUSION**

After examining the record, this Court has determined that the Report and Recommendation is not subject to attack for plain error or manifest injustice. Therefore,

the Court **ACCEPTS** and **ADOPTS** the Report and Recommendation [Dkt. No. 15] for the reasons stated therein. Accordingly, is it is hereby

**ORDERED** that Plaintiff's motion for judgment on the pleadings (Dkt. No. 13) is **DENIED**; and it is further

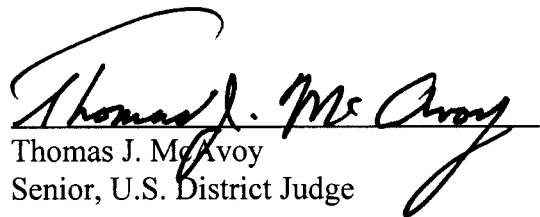
**ORDERED** that Defendant's motion for judgment on the pleadings (Dkt. No. 14) is **GRANTED**; and it is further

**ORDERED** that the Commissioner's decision denying Plaintiff disability benefits is **AFFIRMED**; and it is further

**ORDERED** that Plaintiff's Complaint (Dkt. No. 1) is **DISMISSED**.

**IT IS SO ORDERED.**

Dated: March 8, 2022

  
Thomas J. McAvoy  
Senior, U.S. District Judge